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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/072,077

Filing Date

February 7, 2002

First Named Inventor

Gallie, Daniel R.

Group Art Unit

1645

Examiner Name

Not yet assigned

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1600 2900

### ENCLOSURES (check all that apply)

Fee Transmittal Form

Fee Attached

Amendment / Reply

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers (for an Application)

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s)

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s) (please identify below):

Power of Attorney or Authorization of Agent (1pg); Statement Under 37 CFR 3.73(B) w/Copy of Assignment (2pp); Verified Statement (Declaration)Claiming Small Entity Status (1pg); Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name

Townsend and Townsend and Crew LLP

Kevin Bastian

Reg. No. 34,774

Signature

Date

December 23, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

December 23, 2002

Typed or printed name

Stephanie J Whitehurst

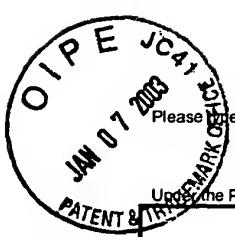
Signature

Date

December 23, 2002

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SF 1417993 v1



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PTO/SB/81 (02-01)

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	10/072,077
Filing Date	February 7, 2002
First Name Inventor	Daniel R. Gallie
Title	Generation of Multiple Embryo Maize
Group Art Unit	1645
Examiner Name	Not Assigned
Attorney Docket Number	023070 121500US

I hereby appoint:

Practitioners at Customer Number

20350



OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

Practitioners at Customer Number



Firm or Individual Name

Address

Address

City

State

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Country

Telephone

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

**SIGNATURE of Applicant or Assignee of Record**

Name	Linda S. Stevenson		
Signature			
Date	October 9, 2002 UC Case: 2002-118-1		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

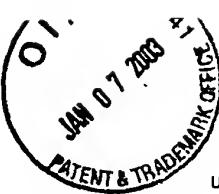
\*Total of \_\_\_\_\_ forms are submitted.

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PTO/SB/96 (08-00)

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Attorney Docket No. 02307O-121500US

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Daniel R. Gallie and Todd E. Young

Application No./Patent No.: 10/072,077 Filed/Issue Date: February 7, 2002Entitled: Generation of Multiple Embryo MaizeThe Regents of the University of California, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012893, Frame 0801, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

October 9, 2002

Date

Linda S. Stevenson

Typed or printed name

Signature

Manager, Patent ProsecutionUC Case 2002-118-1 Title

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Any comments on the aSF 1383657 v1

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ASSIGNMENTU.C. Case No. 2002-118-1

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Daniel R. Gallie2. Todd E. Young

3. \_\_\_\_\_

4. \_\_\_\_\_

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin St., 12<sup>th</sup> Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

GENERATION OF MULTIPLE EMBRYO MAIZE

and which is found in

- (a) \_\_\_\_\_ U.S. provisional application filed herewith and listing the above-named persons as inventors
- (b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above-named persons as inventors
- (c)  \_\_\_\_\_ U.S. application serial no. 10/072,077, filed on February 7, 2002
- (d) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

Signature of Inventor(s)

17<sup>th</sup> day of April, 2002Daniel R. Gallie17<sup>th</sup> day of April, 20Todd E. Young

day of \_\_\_\_\_, 20

SF 1333287 v1

NOT FOR RECORDATION

Applicant or Patentee: Daniel R. Gallie et al.

Doct No. 023070-121500US

Serial or Patent No.: 10/072,077

U. Case No. 2002-118-1

Filed or Issued: February 7, 2002

For: Generation of Multiple Embryo Maize



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
[37 CFR § 1.9(f) and § 1.27(d)]--NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

**RECEIVED**

NAME OF ORGANIZATION: The Regents of the University of California

JAN 08 2003

ADDRESS OF ORGANIZATION: 1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, California 94607-5200

TYPE OF ORGANIZATION

[X] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

[X] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC § 501(a) and § 601(c) (3)]

[ ] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OR THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

[ ] WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC § 501(a) and § 501(c) (3)] IF LOCATED IN THE UNITED STATES OF AMERICA

[ ] WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR § 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled Generation of Multiple Embryo Maize

by inventors Daniel R. Gallie and Todd E. Young described in

[ ] the specification filed herewith

[X] Application serial no. 10/072,077, filed February 7, 2002

[ ] Patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under **contract or law** have been conveyed to and remain with the nonprofit organization with regard to the above identified invention [except for a license to a Federal Agency pursuant to USC § 202 (c) (4)].

If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR § 1.27).

NAME N/A

ADDRESS \_\_\_\_\_

[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR § 1.28(b)]

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC § 1001, and may jeopardize the validity of the application, any patent issuing thereon, or any patent which this verified statement is directed.

NAME OF PERSON SIGNING: Linda S. Stevenson

TITLE IN ORGANIZATION: Manager, Patent Prosecution, Office of Technology Transfer

ADDRESS OF PERSON SIGNING: 1111 Franklin Street, 5<sup>th</sup> Floor  
Oakland, California 94607-5200

SIGNATURE Linda S. Stevenson

DATE October 9, 2002